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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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<p>JOSE MORENO, Individually and on Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>POLARITYTE, INC., DENVER LOUGH, and JEFF DYER,</p> <p style="text-align: center;">Defendants</p>	<p>Case No. 2:18-cv-00510-JNP</p> <p>Judge Jill Parrish</p> <p><b>ORDER CONSOLIDATING RELATED ACTIONS</b></p>
<p>YEDID LAWI, Individually and on Behalf of All Others Similarly Situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>POLARITYTE, INC., DENVER LOUGH, and JEFF DYER,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 2:18-cv-00541-DB</p> <p>Judge Dee Benson</p>

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This matter is before the court on the Motion of Yedid Lawi for Consolidation, Appointment as Lead Plaintiff and Approval of Counsel. For good cause appearing, the court hereby GRANTS IN PART Movant Lawi's motion. The court GRANTS Lawi's motion to consolidate cases, but defers ruling on Lawi's motion for appointment as lead plaintiff and approval of counsel at this time. Any party opposing the appointment of Lawi as lead plaintiff or opposing his choice of lead counsel must file an opposition memorandum within 14 days of this order.

**IT IS HEREBY ORDERED:**

1. Pursuant to Federal Rule of Civil Procedure 42 and local rule DUCivR 42-1, the above-captioned actions (Case Nos. 2:18-cv-510 and 2:18-cv-541) are hereby consolidated for all purposes, including pretrial proceedings, trial and appeal, into one action;

2. The caption of these consolidated cases shall be “*In re Polarityte, Inc. Securities Litigation*” and the files of this action shall be maintained in one file under Master File No. 2:18-cv-510 JNP. Any other actions now pending or hereafter filed in this District that arise out of the same facts and claims as alleged in these related actions shall be consolidated for all purposes, if and when they are brought to the Court’s attention and the Court accepts the transfer and approves consolidation;

3. Every pleading filed in the consolidated actions shall bear the following caption:

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

IN RE POLARITYTE, INC. SECURITIES LITIGATION,	Master File No. 2:18-cv-510-JNP (Consolidated with 2:18-cv-514-DB)
This Document relates to:	[DOCUMENT TITLE]

4. When the document being filed pertains to all actions, the phrase “All Actions” shall appear immediately after the phrase “This Document Relates To:”. When the document applies to some, but not all, of the actions, the document shall list, immediately after the phrase “This Document Relates To:”, the docket number for each individual action to which the document applies, along with the name of the first-listed plaintiff in said action;

5. All orders, pleadings, motions and other documents shall, when filed and docketed in the Master File, be deemed filed and docketed in each individual case to the extent applicable. When an order, pleading, motion or document is filed with a caption indicating that it is applicable to fewer than all individual actions in the Consolidated Action, the clerk shall file such pleadings in the Master File and note such filing in the Master Docket and in the docket of each action referenced;

6. To the extent not otherwise provided by law, following this Order the parties shall comply with 15 U.S.C. § 78u-4(b)(3)(C), specifically during the pendency of this litigation, or until further order of this Court, the parties shall take reasonable steps to preserve all documents within their possession, custody, or control, including computer-generated and stored information, and materials such as computerized data and electronic mail, containing information that is relevant or that may lead to the discovery of information relevant to the subject matter of the pending litigation;

7. The court defers ruling on Lawi's motion for appointment as lead plaintiff and approval of lead counsel at this time. Any party opposing the appointment of Lawi as lead plaintiff or opposing his choice of lead counsel must file an opposition memorandum within 14 days of this order. The court will thereafter rule on the motion.

8. Once appointed, lead plaintiff shall file and serve a Consolidated Complaint no later than sixty (60) days after his or her appointment as lead plaintiff.

9. Defendants shall have sixty days after filing and service of the Consolidated Complaint to answer or otherwise respond to the Consolidated Complaint.

10. Within 90 days of service of the Consolidated Complaint, lead plaintiff must file a motion for class certification pursuant to DUCivR 23-1(d).

**DATED** November 28, 2018

BY THE COURT:



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JILL N. PARRISH  
United States District Judge